

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARK H. FADLEVICH,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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JUDGMENT  
15-CV- 6943 (RRM)

An Order of Honorable Roslynn R. Mauskopf, United States District Judge, having been filed on December 28, 2016, reversing the Commissioner's decision dated April 28, 2015, and remanding Plaintiff's claims for Disability Insurance benefits filed on January 29, 2014 and Supplemental Security Income filed on January 6, 2015 for further administrative proceedings; and ordering on remand, the Appeals Council will instruct the Administrative Law Judge to (1) further develop the record and attempt to obtain the Plaintiff's medical records from the treating sources Dr. J. Patrick Stuebgen, Dr. Lauren Stossel, and Dr. Andrew Edelstein; (2) re-assess the Plaintiff's migraine and mental impairments; (3) re-evaluate the opinion evidence from Drs. Stuebgen and Safdieh; (4) offer Plaintiff the opportunity for a hearing; (5) take further action to complete the administrative record resolving the above issues; and (6) issue a new decision; it is

ORDERED and ADJUDGED that pursuant to the fourth sentence of 42 U.S.C. § 405(g), which is made applicable to Supplemental Security Income (SSI) claims by 42 U.S.C. § 1383(c)(3), the Commissioner's decision dated April 28, 2015 is reversed, and Plaintiff's claims

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for Disability Insurance benefits filed on January 29, 2014 and Supplemental Security Income filed on January 6, 2015 are remanded for further administrative proceedings; and that on remand, the Appeals Council will instruct the Administrative Law Judge to (1) further develop the record and attempt to obtain the Plaintiff's medical records from the treating sources Dr. J. Patrick Stuebgen, Dr. Lauren Stossel, and Dr. Andrew Edelstein; (2) re-assess the Plaintiff's migraine and mental impairments; (3) re-evaluate the opinion evidence from Dr. Stuebgen and Safdieh; (4) offer Plaintiff the opportunity for a hearing; (5) take further action to complete the administrative record resolving the above issues; and (6) issue a new decision.

Dated: Brooklyn, New York  
December 28, 2016

Douglas C. Palmer  
Clerk of Court

by: /s/ Janet Hamilton  
Deputy Clerk